

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHALAMO KAIKOV

Case #: **1:19-cv-02521-LDH-RER**

Plaintiff

JUDGMENT

--against--

ARIHAY KAIKOV, DUSTIN BOWMAN, ANDERSON,
BOWMAN & ZALEWSKI, PLLC,
SHIRYAK, BOWMAN, ANDERSON,
GILL & KADOCHNIKOV LLP, PACIFIC 2340
CORP., ROYAL A&K REALTY GROUP INC., A&E.R.E.
MANAGEMENT CORP., NY PRIME HOLDING LLC,
AG REALTY BRONX CORP., JOHN and
JANE DOE 1-19 and XYZ CORPORATION 1-10

Defendants

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Defendants DUSTIN BOWMAN; ANDERSON BOWMAN & ZALEWSKI, PLLC; and
SHIRYAK, BOWMAN, ANDERSON, GILL & KADOCHNIKOV, LLP (collectively referred to as
“Law Firm Defendants”) moved this Court, by motion dated October 7, 2019, pursuant to Fed. R. Civ.
P. 12(b)(6) and 9(b) to dismiss the Plaintiff CHALAMO KAIKOV’s (“Plaintiff”) First Amended
Complaint (“Complaint”) in its entirety (“Motion”) against the Law Firm Defendants.

WHEREAS the Motion being fully briefed, opposition and reply being filed thereto, and oral
argument having been heard before this Court on February 4, 2020;

WHEREAS for reasons discussed on the record during the February 4, 2020 argument and
hearing, the transcript of which is attached hereto, the Court found that Plaintiff’s claims lacked merit;

WHEREAS, an Order filed in the Clerk’s Office of this Court directing the Law Firm
Defendants to submit a proposed final judgment with the Court;

ORDERED AND ADJUDGED that the Law Firm Defendants' motion to dismiss the Complaint is granted in its entirety; and the Complaint and each cause of action listed below is dismissed with prejudice as against the Law Firm Defendants:

1. Plaintiff's First Cause of Action pursuant to 18 U.S.C. § 1962(a) is dismissed with prejudice as against the Law Firm Defendants;
2. Plaintiff's Second Cause of Action pursuant to 18 U.S.C. § 1962(b) is dismissed with prejudice as against the Law Firm Defendants;
3. Plaintiff's Third Cause of Action pursuant to 18 U.S.C. § 1962(c) is dismissed with prejudice as against the Law Firm Defendants;
4. Plaintiff's Fourth Cause of Action pursuant to 18 U.S.C. § 1962(d) is dismissed with prejudice as against the Law Firm Defendants;
5. Plaintiff's Fifth Cause of Action alleging Common Law Fraud is dismissed with prejudice as against the Law Firm Defendants;
6. Plaintiff's Sixth Cause of Action alleging Unjust Enrichment is dismissed with prejudice as against the Law Firm Defendants;
7. Plaintiff's Seventh Cause of Action alleging Civil Conspiracy to Commit Tort is dismissed with prejudice as against the Law Firm Defendants;
8. Plaintiff's Eighth Cause of Action alleging Conversion is dismissed with prejudice as against the Law Firm Defendants;
9. Plaintiff's Ninth Cause of Action was not plead against the Law Firm Defendants;
10. Plaintiff's Tenth Cause of Action alleging Vicarious Liability is dismissed with prejudice as against the Law Firm Defendants;

11. Plaintiff's Eleventh Cause of Action alleging Imposition Of Constructive Trust And Injunctive Relief is dismissed with prejudice as against the Law Firm Defendants; and it is further

ORDERED AND ADJUDGED that the relief requested in the Complaint is denied in its entirety, with prejudice as against Law Firm Defendants. Defendants DUSTIN BOWMAN; ANDERSON BOWMAN & ZALEWSKI, PLLC; and SHIRYAK, BOWMAN, ANDERSON, GILL & KADOCHNIKOV, LLP are hereby terminated from this action. The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

s/ LDH

LaShann DeArcy Hall
United States District Judge

Dated: May 1, 2020
Brooklyn, New York